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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**
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8 V'Guara, Inc.,

9 Plaintiff,

10 v.

11 Steve Dec, an individual; S& D Beverage, LLC,
12 Defendants.
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Case No.: 2:13-cv-0076-JAD-NJK

**Order Denying Motion for
Preliminary Injunction without
Prejudice
[Doc. 9]**

15 On January 25, 2013, Plaintiff V'Guara, Inc. filed a Motion for Temporary Restraining Order
16 and Preliminary Injunction. Docs. 8, 9. District Court Judge Miranda Du granted the motion for
17 temporary restraining order on February 15, 2013, Doc. 18, and the parties stipulated to extend the
18 duration of the temporary restraining order until the court issues a merits ruling on the motion for
19 preliminary injunction. Doc. 36. The parties further stipulated that the court could set the hearing
20 on the motion for preliminary injunction (Doc. 9) "in its discretion." Doc. 36.

21 On August 18, 2014, the court held a scheduling conference to set the hearing on the motion
22 for preliminary injunction. Doc. 9. The parties requested that the court first rule on the recently
23 filed and not-yet-fully-briefed motion for summary judgment (Doc. 96) before setting the
24 preliminary-injunction hearing. In light of this request, and because (1) the parties have stipulated to
25 keep the temporary restraining order in effect until the court considers the merits of the motion for
26 preliminary injunction and (2) the likelihood of the need to supplement the preliminary injunction
27 briefing in light of case developments since the original filing of the motion, IT IS HEREBY
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1 ORDERED that the motion for preliminary injunction (**Doc. 9**) is **DENIED without prejudice** to its
2 refiling after a decision on the motion for summary judgment (Doc. 96). This without-prejudice
3 denial is not intended, and shall not be construed, as the court's issuance of "a ruling on V'GUARA
4 INC's Motion for Preliminary Injunction" as that phrase is used in the stipulated extension of the
5 temporary restraining order (Doc. 36).

6 Dated: August 19, 2014.


JENNIFER A. DORSEY
UNITED STATES DISTRICT JUDGE